

JAM

25227. Grape jam. (F.D.C. No. 42099. S. No. 20-846 P.)

QUANTITY: 71 cases, 12 12-oz. jars each, at Kansas City, Kans.

SHIPPED: 7-31-58, from St. Joseph, Mo., by St. Joseph Foods, Inc.

LABEL IN PART: (Jar) "Shurfine Pure Grape Jam * * * National Retailer-Owned Grocers, Inc., Distributors, Chicago, Ill."

LIBELED: 8-26-58, Dist. Kans.

CHARGE: 402(a)(3)—contained insects and insect parts; and 402(a)(4)—prepared under insanitary conditions.

DISPOSITION: 10-2-58. Default—destruction.

VEGETABLES AND VEGETABLE PRODUCTS*

25228. Dried pinto beans and rice. (F.D.C. No. 40483. S. Nos. 29-096/7 M.)

INFORMATION FILED: 2-27-58, N. Dist. Calif., against Roy M. Day, a partnership, Turlock, Calif.

ALLEGED VIOLATION: Between 9-26-56 and 5-16-57, while quantities of dried pinto beans and rice were being held for sale after shipment in interstate commerce, the defendant caused the articles to be placed in a building that was accessible to rodents and to be exposed to contamination by rodents, which acts resulted in the articles being adulterated.

CHARGE: 402(a)(3)—contaminated with rodent urine; and 402(a)(4)—held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 4-4-58. \$500 fine.

25229. Dried mung beans. (F.D.C. No. 41774. S. No. 27-785 P.)

QUANTITY: 36 100-lb. bags at Houston, Tex.

SHIPPED: 9-18-57, from Chickasha, Okla., by Ross Seed & Grain Co.

LIBELED: 5-22-58, S. Dist. Tex.

CHARGE: 402(a)(2)—the article, when shipped, contained an added poisonous and deleterious substance, namely, fluorine, which is unsafe within the meaning of 406(a), since it is a substance not required in the production of mung beans and can be avoided by good manufacturing practice.

DISPOSITION: 11-3-58. Default—destruction.

25230. Canned sweet pickle relish. (F.D.C. No. 42100. S. No. 26-692 P.)

QUANTITY: 20 cases, 4 1-gal. jars each, at Galesburg, Ill.

SHIPPED: 7-24-58, from Bettendorf, Iowa, by Bettendorf Pickle & Vinegar Co.

LABEL IN PART: (Jar) "Chef Style Super Sweet Pickles-12 Oz." or "Chef Style Sweet Pickles."

RESULTS OF INVESTIGATION: Examination showed the article to be a pickle relish. The average net weight was found to be 9 pounds 10.08 ounces.

LIBELED: 8-26-58, S. Dist. Ill.

*See also No. 25182.

CHARGE: 402(a)(3)—contained insects and insect fragments; 402(a) prepared under insanitary conditions; 403(b)—the article, when shipped, offered for sale under the name of another food; and 403(e)(2)—the article failed to bear a label containing an accurate statement of the quantity contents.

DISPOSITION: 10-23-58. Default—destruction of 6 cases, all that was available for seizure.

25231. Canned mushrooms. (F.D.C. No. 42089. S. No. 26-909 P.)

QUANTITY: 19 cases, 24 cans each, at St. Paul, Minn.

SHIPPED: 6-23-58, from Hudson, N.Y., by K-B Products Corp.

LABEL IN PART: (Case) "Knaust's Mushrooms-Elf Brand"; (can) "Elf Brand Stems and Pieces Mushrooms Drained Wgt. 8 oz. Net Avd."

LIBELED: 8-14-58, Dist. Minn.

CHARGE: 403(b)(2)—the article purported to be and was represented as canned mushrooms, a food for which a standard of fill of container has been prescribed by regulations, and the article fell below such standard when shipped, since the weight of the drained mushrooms in the container was less than that prescribed by the regulations, and the label of the article failed to bear a statement that it fell below such standard.

DISPOSITION: 10-27-58. Default—delivered to a State institution, for use as food.

25232. Canned Mushrooms. (F.D.C. No. 42105. S. No. 25-682 P.)

QUANTITY: 26 cases, 24 cans each, at Minneapolis, Minn.

SHIPPED: 6-23-58, from Hudson, N.Y., by K-B Products Corp.

LABEL IN PART: (Can) "Knaust Brand Net Wt. 8 oz. Pieces and Stems Mushrooms."

LIBELED: 8-28-58, Dist. Minn.

CHARGE: 403(h)(2)—the article purported to be and was represented as canned mushrooms, a food for which a standard of fill of container has been prescribed by regulations, and the article fell below such standard when shipped, since the weight of the drained mushrooms in the container was less than that prescribed by the regulations, and the label of the article failed to bear a statement that it fell below such standard.

DISPOSITION: 12-4-58. Default—delivered to a local charitable institution for use as food.

TOMATOES AND TOMATO PRODUCTS

25233. Canned tomatoes. (F.D.C. No. 42125. S. No. 28-680 P.)

QUANTITY: 508 cases, 24 1-lb. cans each, at Shreveport, La.

SHIPPED: 7-25-58, from Donna, Tex., by Knapp-Sherrill Co.

LABEL IN PART: (Can) "Texas Magic Brand * * * Tomatoes."

RESULTS OF INVESTIGATION: Examination showed that the article contained a decomposed tomato material.

LIBELED: 9-22-58, W. Dist. La.

CHARGE: 402(a)(3)—contained a decomposed substance when shipped.

DISPOSITION: 11-14-58. Default—destruction.